SPEECH

OF

Mr. JAMES Gurney

BEFORE THE

PARLIAMENT,

Concerning the manner of his

INDICTMENT, *Feb.* 21. 1661.

The proceedings thereupon, and the reading of his

PROCESS, *April* 12. 1661.

Printed in the Year 1661.

SPEECHES

OF

THE

PARLIAMENT.

Mr. James Guthry his Speech before the Parliament, after the reading of his Indictment, Febr. 21. 1661.

My Lord Chancellour,

BEing Indicted at the instance of Sir *John Fletcher*, his Majesties Advocate, for his Majesties Interest, upon things alledged to be Seditious and Treasonable, I do humbly desire, and from your equity expect, that my Lord Commissioner his Grace, and this Honourable Court of Parliament, will patiently, and without interruption, allow me hearing, as to a few things which I have to say for my self, in answer to that Indictment, and that I may proceed distinctly therein, following the order of the Indictment it self, I shall speak a word first to the Laws that are mentioned and cited therein, by which I am to be judged, then to the things themselves whereof I am accused: Concerning these Laws, I am glad that the Law of God is named in the first place, it being indeed the Soveraign and Supreme Law, not only of Religion, but also of righteousness, to which all other Laws ought to be squared and subordinate; and there being an Act of the 1. Parl. of K. *Ja.* 6. whereby all Laws, or clauses of Laws, or Acts of Parliament, repugnant unto the Word of God, are repealed, an Act most worthy of a Christian King and Kingdome; and I hope that your Lordship, in all your proceedings, will mostly have respect unto this, that I may be judged by the Law of God especially, and by other Laws in subordination thereunto. As to these Laws and Acts of Parliament which are mentioned in the Indictment, concerning his Majesties Royal Prerogative, and declining his Majesties Judgment and Authority, and keeping of Conventions; I hope it will

will not be denied, that they are to be understood and explained according to those Laws and Statutes that were made before them by posterior Acts of Parliament, it being a maxime in the Law, no less common, then true and equitable, that where there is any seeming or real contradiction and opposition betwixt Laws, *posteriora derogant prioribus*, otherwayes Laws, instead of preservatives to States and Commonwealths, might prove nets and snares, to intangle the lives, reputations, and estates of the Subjects. And it must also be granted, that these Laws and Acts of Parliament, are to be understood and expounded by our solemn publick Vows and Covenants contracted with God, both by his Majesty and Subjects, which are not only declared by the Laws of the Land to have the strength of Acts of Parliament, but both by the Law of God, and Common-Law, and light of all the Nations in the world, are more binding and indispensible, then any municipal Law or Statute whatsoever. Thirdly, as to these Acts of Parliament, which are cited against the dutyfull and untrue Speeches, to the dislike, contempt, and reproach of his Majesties Authority, I think I need not say that none, much less his Majesties Commissioner, and this Honourable Court of Parliament, do understand them of truths uttered in sobriety, by those who have any lawfull call thereunto, and that these Acts, which speak against meddling in the affairs of his Majesty and States, are not to be understood of such meddling, as men are bound unto by vertue of their calling, and wherein they do not transgress the bounds thereof. The next thing I shall speak to, is the particulars wherewith I am charged, concerning which, I shall give your Lordship a true and ingenuous account, as to my reflection thereto, knowing that I speak in the sight of him who sits in the Assembly of the Gods. Next, I shall be bold to offer to your Lordship some humble defence of my doing for vindicating of my carriage from the breach of his Majesties Laws, and exempting me from the punishment appointed thereby. As to matter of fact, I am in the Indictment first charged with a general, of being culpable of sundry seditious and treasonable Remonstrances, Declarations, Petitions, Instructions, Letters, Speeches, Preachings, Declamations, &c. To which I say, that *generalia non prægnant*, they can have no strength in the inferring of any crime or guilt, except in so far as they are

[illegible] that [illegible] unto that [illegible]
wall, that having no foundation in it, is a meer Chimera, or fe-
cond notion, only one thing there is in that general charge that
I cannot, yea ought not to pass by, to wit, that I have seditiou-
ly and trayterously purposed the eradicating and subverting the
Fundamental Government of this his Majesties ancient King-
dome, at least the enervating, or violating, & impairing of his
Authority; concerning which, I am bold to say it is an unjust
Charge, there was never any such design or purpose in my
heart: and since I am thus charged, I may without vanity, or
the breach of the law of sobriety affirm, that as I had never any
complyances with the counsel, designs, or actings of the late
usurping Powers against his Majesties Royal Father, or himself,
or against this Kingdome, or the ancient Government thereof,
or of the Kingdomes of *England* and *Ireland*, so was there no
part of their ungodly & unjust actings, but I did in my station &
calling bear open and publick testimony against the same, both
by word and writ, which is a thing better known, and more ma-
nifest, then that can be liable to suspition therein, many of these
testimonies being given before many, and many of them being
yet extant in the world, and such as will be extant to posterity.
My Lord, albeit it doth become me to adore God in the holi-
nesse and wisdome of his dispensations, yet I can hardly refrain
from expressing some grief of spirit, that my house and family
should not only have been possest for many moneths together
by a number of English souldiers, and my self kept from the
Pulpit for speaking and preaching against the tender and incor-
porating of this Nation in one Commonwealth with *England*,
and that I should thereafter, in the time of *Oliver Cromwell*, as
usurping the Government to himself, under the name of Prote-
ctor, been delated by some, and challenged by sundry of his
Counsel in this Nation, because of a paper published by me,
wherein he was declared to be an Usurper, and his Government
to be Usurpation, that I should have been threatned to be sent to
the Tower for writing a paper against *Oliver Cromwell*, his u-
surping of the Crown of these Kingdomes; that I should have
been threatned with banishment, for concurring in offering a
large testimony against the evils of the time to *Richard Crom-
well* his Counsel, immediately after his usurping of the Gover-

ment; I say, my Lord, it grieves me, that notwithstanding of these things, I should now stand indicted before your Lordship, as intending the eradicating and subverting of the ancient Civil Government of this Nation, and being subservient to that Usurper in his designe, the God of heaven knows, that I am free of this Charge; and I do defie all the world, allowing me Justice and fair proceeding, which I hope your Lordship will, to make out the same against me. The first particular wherewith I am charged in the Indictment is, that I did contrive, and comply, and draw up one paper, commonly called *The Remonstrance*, and presented it, or caused it to be presented to his Majesty, and the Committee of Estates, upon the 22 day of *October*, 1650. To which I answer, by denying that part of the Indictment, I did neither compile, nor contrive that Remonstrance, nor did I present, nor caused it to be presented to the Committee of Estates, at that time, or at any other time; I did indeed, being a Member of the Commission of the Gen. Assembly, when they gave their judgement upon it, dissent from the sentence which they past upon it, which cannot be reckoned any culpable accession thereto, every man being free, without hazard of punishment, and bound in conscience, as before God, to give his judgement freely in the Judicatory whereof he is a Member: If it be alledged, that I did afterwards abate the same in the book of the Causes of the Lords wrath, in the fifth head of the nineth Article thereof, by asserting the rejecting of the discovery of guiltiness contained therein, to have been a sin, &c. is answered first, that that was no more but the asserting of my former dissent: Secondly, that it was no more, upon the matter, then was acknowledged and asserted by the whole Commission of the Gen. Assembly, when they past sentence upon it, in which sentence it is acknowledged, that it did contain many sad truths, which yet were not received, nor any effectual remedy endeavoured for helping of evils represented thereby. Thirdly, it cannot be accompred culpable in a Minister of the Gospel, who is thereunto bound by virtue of his calling, to assert the rejecting of the discovery of sin, and guiltiness to be a sin. The next particular which I am charged with, is the book of the Cause of Gods Controversie, especially the fifth and sixth Articles thereof, which are particulars that I believe, upon the looking thereof, will not be found to contain any just matter of accusation,

much less matter of Sedition and Treason, there being nothing mentioned therein, but the discovery of the sin of covetousness, and the abuse of the publick Faith of the Land in borrowing of money; but because I do apprehend that it was the fifth and sixth step of the ninth Article that was intended by my Lord Advocate, I do humbly profess unto your Lordship, and to this Honourable Court of Parliament, that I am very unwillingly drawn forth to speak of these things, and shall only say first, That the God of heaven is witness, that my accession thereunto, it did not flow from any disrespect or disaffection to his Majesties person or Government, much less from any malicious purpose to render him odious to the world, or to his Subjects, or to give advantage to his enemies, and the enemies of these Kingdomes, or from any purpose in any thing to be subservient to the designs or actings of the late usurping powers, but meerly and singly from a constraining power of conscience to be found faithful as a Minister of the Gospel in the discovery of sin and guiltiness, that it being taken with, and repented of, wrath might be taken away from the house of the King, and from these Kingdomes: Your Lordship knows what strict charge is laid upon Ministers of the Gospel to give faithful warning to all sorts of persons, and how they expose their own souls to the hazard of eternal damnation, and the guilt of the blood of those with whom they have to do, if they do not; and you do also know, that the Prophets and Apostles, and the Lord Jesus Christ himself, did faithfully warn all men, though it was their lot, because of the same, to be reckoned Traytors, and seditious persons, and to suffer as evil doers upon the accompt thereof. Next, my Lord, I wish it may be seriously pondered, that nothing is asserted in these causes as to the matter of sin and duty, but what hath been the common received doctrine of the Kirk of *Scotland*, as may appear from the Records of the work of Reformation from Popery, and from the National Covenant, and Solemn League and Covenant, and the publick Declarations and Acts of this Kirk and Kingdome, concerning the necessary security of Religion; the truth of which doctrine is confirmed from the Word of God, and divine reason, in these publick papers themselves; and as to matters of fact, they are no other then is mentioned in the solemn publick causes of humiliation,

condescended and kept visited by the whole Kirk of Scotland joyntly, and by his Majesty and his family, with the Commission of the General Assembly, and the Committee of Estates, a little before his Coronation at *Perth*. As to the sixth thing, there is nothing therein mentioned but what is truth, all the particulars therein specified, as of the Remonstrance it self containing some discovery of known and undeniable sins and guiltiness, the rejecting whereof behoved to be a sin, and therefore cannot the asserting of it be Treason and Sedition. The third particular wherewith I am charged, is the supplication as of *August* 24. To which I acknowledge my accession, but do deny it to be treasonable and seditious, because besides the vindication of my former carriage and actings from complyances with the late usurping powers, and an humble profession of the subjection, and loyalty, and obedience, which I owe to his Majesty, and of my resolution to render the same unto him, as unto the Supreme and rightful Magistrate over these Kingdomes, and some serious prayers and supplications for his Majesty, &c. doth contain nothing but an humble Petition concerning these things, to which his Majesty and all the Subjects of this Kingdome are ingaged by the solemn and indispensable Oath of the Covenant, with a sober and serious representation of the dangers that threaten Religion, and of things that are destructive unto the duties contained in these Articles of the Covenant, and therefore the Covenant being established by Law, and confirmed by the publick Oath of God, which is more then Law, a humble Petition and Representation concerning these things, cannot be accompted Sedition and Treason. The Indictment is pleased to say, that I charged his Majesty with dissimulation and perjury, but there is no such thing in the supplication, which doth only put him in remembrance of holding fast the oath of the Covenant: As to what is alledged against the unlawfulness of our meeting, &c. was Presbyterially resolved, that I should keep that meeting, and suppose it had not been so, yet cannot that meeting fall within the compass of these Acts of Parliament, which strikes against unlawful Conventions, because every meeting for business in it self, lawful or agreeable to the Word of God, and the Laws of the Land, and keeped without multitude or tumult, such as that was, needs no particular Warrant from

Authority, as may be instanced in sundry other meetings up and down the Land, day by day, for several sorts of buisines: Be there not many meetings kept by persons of all sorts in all the parts of the Country, in reference to applications to Judicatories, and to the Supreme Magistrate, for the civil interests and rights? and if so, how much more may Ministers meet for supplicating his Majesty, for the interests and right of Jesus Christ, keeping themselves for the matter of their supplication within the bounds of the Covenant, and of these things that are established by Law.

Thirdly, such meetings are clearly exempted from the breach of these Acts of *Parliament*, by a posterior Act of Parliament, to wit, by the 29th Act of the 2 Parl. of King *Charles* the first.

As to the last particular in the Indictment, to wit, my declining of his Majesties Authority at *Perth*, I do acknowledg that I did decline the Civil Magistrate, as competent Judge of Ministers Doctrine in the first instant; his Majesties Authority, in all things civil, I do with all my heart acknowledge, and that according to the Confession of the Faith of this Church, the conservation and purgation of Religion belongs to him as civil Magistrate, and that Ecclesiastick persons are not exempted from obedience to Civil Authority, and the just commands thereof, nor from punishment in case of their transgression; but that declinators of the Civil Magistrate, his being Judge of Ministers Doctrine in the first instant, are no treason nor sedition, but lawful and warrantable: I do humbly offer first, that such declinators are agreeable to the rule of Gods Word, and to the Confessions of Faith and Doctrine of this Church, which are confirmed and ratified in Parliament by many several Acts, and therefore have the strength both of divine and humane Law; that they are agreeable to the rule of Gods Word, is evident from this that the Scriptures do clearly hold forth, that Jesus Christ hath a visible Kingdome, which he exercises in or over his visible Church, by the spiritual office bearers thereof, which is wholly distinct from the civil powers and government of the world, and not depending upon, nor subordinate unto these governments, and the Acts thereof, *John* 18.36,37. *Matt.*16.19. *John* 28.23.

That they are agreeable to the Confessions of Faith and Do-

drine of this Church is evident, because these do acknowledge no Head over the visible Church of Christ, but Jesus Christ himself, nor any Judgement, nor Power, in nor over his house, but that which he hath committed unto the spiritual office-bearers thereof under himself; and therefore it hath been the ordinary practise of this Church in such cases, to use such declinators, since the time of Reformation from Popery, as may appear from many clear, and undeniable, and proven instances, extant in the Acts of the Gen. Assemblies, and Records of this Church, particularly these of Mr. *David Black*, in the year 1596. which was owned and subscribed by three or four hundred Ministers, besides sundry others which are well known; and I do believe, my Lord, that not only is this the doctrine of the Church of *Scotland*, but also of many sound Protestant Divines, who give unto *Cæsar* the things that are *Cæsars*, and to God the things that are Gods. Secondly, such declinators are agreeable unto, and founded upon the National Covenant, and the Solemn League and Covenant, by which the Kings Majesty himself, and all the Subjects of this Kingdome are bound to maintain the doctrine, worship, discipline, and government of this Church, which with solemn vows, and publick Oaths of God, have alwayes in all Kingdomes, States, and Republicks, been accompted more sacred and binding, then any municipal Law or Statute whatsoever, and being posterior to the Act of Parliament 1584. do necessarily include a repealing thereof: Upon these grounds it is, that I gave in, and do assert that declinator, for vindicating the Crown dignity, and Royal Prerogative of Jesus Christ, who is King of Kings, and Lord of Lords, but with all due reverence and respect to his Majesty, and his just greatness and Authority.

Fourthly, as to that Act of Parliament 1584. was made in a time wherein the setled Government of this Church by Presbyters and Synods, was wholly over-turned, and their meetings utterly discharged, and the deposition of Ministers and things properly spiritual and Ecclesiastick, put into the hands of the Civil Magistrate, so we do assert, that that Act, in so far as concerns such declinators, hath since the making thereof been often repealed and rescinded, and was standing repealed and rescinded at the down sitting of the Parliament: First, it was rantverted

verſed and annulled by a poſterior Act, in the year 1592. to wit, the firſt Act of the 12. Parl. of King *Ja.* the 6. which in the laſt Section thereof, doth expreſly declare, that that Act in the year 1584. ſhall no wayes be prejudicial, nor derogate any thing to the privilege that God has given to the ſpiritual office-bearers in the Kirk, concerning heads of Religion, matters of Hereſie, collation or deprivation of Miniſters, or any ſick-like eſſential cenſure, ſpecially grounded and having Warrant from the Word of God; but ſo it is, that the freedome and independency of the ſpiritual office-bearers of the Kirk of God in things Eccleſiaſtical, that concern their calling, is a ſpecial priviledge of the Kirk, and a ſpecial head of Religion, and that the free diſcovering of the ſins of all perſons by Miniſters in their Doctrine from the word of God, is an eſſential cenſure grounded upon, and having warrant in the Word of God; and according hereto King *James* the 6. in the year 1585. conſidering the great offence given and taken by that Act in the year 84. did for removing thereof, ſend a Declaration penned and ſigned with his own hand to the Commiſſioners of the Kirk of *Scotland* at *Linlithgow, Decemb.* 7. which he ſayes ſhall be as good and valid, as any Act of Parliament whatſoever. In which Declaration he hath theſe words, *I for my part ſhall never, neither my Poſterity ought ever cite, ſummon, or apprehend any Paſtor or Preacher, for matters of Doctrine, Religion, Salvation, Hereſies, or ſon interpretation of the Scriptures, but according to my firſt Act, which confirmeth the liberty of preaching of the Word, Miniſtration of the Sacraments, &c. I avouch the ſame to be a matter meer Eccleſiaſtical, and altogether impertinent to my calling, therefore never ſhall I, nor never ought they, I mean my poſterity, acclaim any power or Juriſdiction in the foreſaids.* It is alſo to be conſidered, that that Act 1584. is alſo repealed by the 4th Act of the 2d Parl. of King *Charles* the 1. which reckons it amongſt the evils that had ſore troubled the peace of the Church and Kingdome; that the power of the Keys and Kirk-cenſures was given to perſons meerly civil, and therefore doth provide, that for preſervation of Religion, and preventing all ſuch evils in time coming, Gen. Aſſemblies rightly conſtitute, as the proper and competent Judges of all matters Eccleſiaſtical hereafter, be keeped yearly, and oftner, *pro re nata*, as occaſion and neceſſity ſhall require. The ſame Act in the year 1584. is alſo repealed

by the 6th Act of the 2d Parl. of King *Charles* the First, called the Act rescissory, which expressly provides and declares, that the sole, and only power, and jurisdiction within this Kirk, stands in the Kirk of God, as it is now reformed, and in the General, Provincial, Presbyterial Assemblies, with Kirk Sessions, established by Act of Parliament in *Jan.* 1592. which Act is expressly revived, and renewed in the whole heads, points, and Articles in the foresaid Act rescissory, and is appointed to stand in full strength, as a perpetual Law in all time coming, notwithstanding of whatsoever Acts or Statutes made in the contrary thereof, in whole or in part, which the Estates by that Act rescissory casses and annulls in all time coming, and rescinds and annulls all and whatsoever Acts of Parliament, Laws and Constitutions, in so far as they derogate, and are prejudicial to the spiritual nature, jurisdiction, discipline, and priviledges of this Kirk, by which it is evident, that not only that that Act in the year 1584. but also the first Act of the 18 Parl. of King *James* the 6th, and 3d Act of the first Parl. of King *Charles* the First, which ratifies and establishes the Royal Prerogative over all estates, persons, and causes within this Kingdome, is declared to be of no force, in so far as the same may be extended to make the Supreme Magistrate the proper and competent Iudge of matters Spiritual and Ecclesiastick. Sixthly, it is to be observed, that it hath been lawful, and in continual practise, that his Majesty and secret Counsel, in sundry causes, have been declined, and the cause drawn to the ordinary competent Iudge; as matters Civil to the Lords of the Session, matters criminal to the Chief Iustice, matters of divorcement to the Commissaries, yea the meanest regality in the Country, hath power to decline the Supreme Iudicatories. As to what is alledged in the close of the Indictment, of protesting for remedy of Law against his Majesty for a seasment, &c. of that protestation, was but an Appendix and Consequent of the other, made only in reference thereto, and a protestation against any particular Act for remedy according to his Majesties Laws, cannot be treason against his Majesty, there being no Act of Parliament declaring it to be so, and it being not Authority it self that is protested against, but only a particular Act of the Authority, against which protestations in many cases are ordinary. Lastly, it is to be observed, that this Declinator was buried in silence by his Majesty, and the Com-

mittee of Estates after the in-giving thereof, and M. *Guthry* sent home without their challenging of him for the same, and permitted the exercise of his Ministry at *Sterling*. These few things, my Lord, I thought fit at present to say in vindication and defence of my own innocency, notwithstanding of any thing contained in the Indictment now read against me; the sum of what I have said is shortly in these two: first, that I did never purpose nor intend to speak, or write, or act any thing disloyal, or seditious, or treasonable, against his Majesties person or Authority, or Government, God is my witness, and that what I have spoken, or written, or acted in any of these things wherewith I am charged, hath been meerly and singly from a principle of conscience, that according to the weak measure of light given me of God, I might do my duty in my station and calling, as a Minister of the Gospel: Next, because conscience barely taken, is not a sufficient plea, though it may extenuate, yet it cannot wholly excuse, I do assert, that I have founded my speeches, and writings, and acting in these matters upon the Word of God, and the Doctrine and Confessions of Faith, and Laws of this Church and Kingdome, and upon the National Covenant of *Scotland*, and the Solemn League and Covenant betwixt the three Kingdomes of *Scotland*, *England*, and *Ireland*; if these foundations shall fail, I must fall with them, but if these sustain and stand in judgment, as I hope they will, I cannot acknowledge my self, neither, I hope, will his Majesties Lord Commissioner, and the Honorable Court of Parliament, judg me guilty of sedition and treason, notwithstanding of any thing contained in the Indictment.

After this Speech before the Parliament, Mr. James Guthry *was appointed to give in writing his legal defences, or what he had to say in Law for his own defence against the things contained in his Indictment, which legal defences he gave in to the Lord Advocate, the fourth of* March. *These defences contain five sheets of paper, to which having received a Reply from the Lord Advocate, about fifteen daies thereafter, he did return a Duply thereunto the fifth of* April, *consisting of seven sheets of paper; and being called before the Parliament the tenth of* April, *his whole Process consisting of the Indictment, and his Defences, and the Lord Advocates Reply was read; after which, having liberty to speak again for himself, he did by word of mouth deliver what is contained in the following Speech.*

Mr. James Guthry *his Speech before the Parliament, immediately after the reading of the Proces.* April 10. 1661.

My Lord Chancellour,

I Did at my first appearance before his Majesties Commissioner, and this Honourable Court of Parliament, give an accompt of my accession to the particulars contained in the Indictment, and of the grounds and reasons thereof, and have now done it more fully in my Defences, and in my Duplies to the Replies given by my Lord Advocate thereunto, in all which I have dealt ingeniously, and without shifting, holding it the duty of a Christian, especially of a Minister of the Gospel, in the matters of his duty and calling so to do; I have only now to add these few words.

1. That I hope I have made it sufficiently to appear, that what I have spoke, or written, or acted in these matters, was from no malicious or sinistrous intention against his Majesties person, or his Government, but from a principle of true piety towards God, and true loyalty towards his Majesty, as I have demonstrated this from the tenor of my carriage and actings under the Usurpers, so I have herein confidence towards God, and in the perswasion of the integrity of my Soul in this particular, may with a good conscience, not only make this Declaration before your Lordship, but also hazard to step into Eternity.

2. Next, my Lord, I hope I have made it to appear, that besides the conformity that my accession to these things have with the Word of God, so they have a foundation in the National Covenant, and in the Solemn League and Covenant, the obligation whereof I dare not but profess to own, as binding and standing upon these Kingdomes, and that they are agreeable unto the actings of publick Authority, before the Englishes invading of this Nation, to the Canons of the Church, and the Laws of the Kingdome, and the publick declared judgment both of Church and State before that time: And my Lord, if this may not plead an Indempnity and Oblivion for me, but that notwithstanding thereof I shall be judged a seditious person and a Traytor, not only shall the whole Church and Kingdome of *Scotland* be involved in the guilt of Sedition and Treason, and few or none have any security for their lives, and honours, and estates, fur-

ther

ther then the Kings mercy doth give them; but also a very dangerous foundation shall be laid for the time to come, for men of differing judgments, upon every emergent revolution, to prosecute the worsted party unto death, notwithstanding that they have the publick Authority, and the Laws then standing, to plead in the defence of their actings. I know my Lord, that it lyeth upon the spirits of some, as a prejudice against me, that I am supposed to have been a chief instrument, or a Ring-leader, in these Declarations, and Canons, and Laws, and publick actings of the Church and Kingdome, which I do now plead in my own defence: I shall not say, that this hath any rise from any, who to lighten their own burthens, would encrease mine, holding that to be unworthy of any man of an ingenious spirit, and most unworthy of a Christian: As I charge no man in particular with accession to any of these things, so as to my self, I do for the truths sake ingenuously acknowledge, that throughout the whole course of my life I have studied to be serious, and to deal not with a slack hand in what I did look upon as my duty; and yet my Lord, lest I should attribute unto my self what is not due unto me, I must, for shunning of pride and vain-glory also say, that I was not honoured to be of these who laid the first foundation of the work of Reformation in this Church and Kingdome: I am not ashamed to give glory to God in acknowledging, that until the beginning of the year 1638. I was treading other steps, and though God did then graciously recover me out of the snare of Prelacy, and the Ceremonies and Service-book, and a little thereafter put me into the Ministry, yet did I never judge my self worthy to be accompted a Ring-leader in any of the superstructures of that blessed work, there being a good many elder for years, and more eminent for piety, and prudence, and parts, and faithfulness, and zeal, whom I did reverence, and gave the precedency unto in these things.

It may also happily my Lord be, and a little I have been informed of it, that besides any thing contained in the Indictment, there be some other things that bear weight upon the spirit of some of the Members of this House, from reports that have passed of my carriage towards his Majesties Royal Father, and towards himself, and Incendiaries. As to these things, my Lord, if there be any thing of that kind I do most humbly and seriously beg, and think that I may justly expect, both in order to Justice, and to the peace of their own consciences, that seeing they have no proof of it, but at best have taken it upon information, that they would either altogether lay it aside, and lay no weight upon it, or else before they give Judgment of me, they would let me know of it, and allow me a fair hearing upon it. And if I cannot vindicate my self, let me bear the burdning of it.

In the next place my Lord, [illegible]

[illegible] a few of the [illegible] fulfilment, that I should stand to my own justification in the things wherein I am challenged, and that this I looked upon as a piece of peremptory and wilful humour, which if I please, I am cheerfully lay aside. My Lord, I humbly beg so much civility of all who now hear me, as to think, that I have not so far lost the exercise of all conscience towards God, and of all reason towards my self, and my dearest relations as in the world, as upon deliberation so to do, to cast away both my life and soul at once. God knows it is not humour, but conscience that sticks with me, and could I lay it aside and not sin against God, nor dissemble with men, by confessing or professing what I think not, I should not stand to the defence of any of these things for the minute of an hour, but my Lord, having with prayer and supplication unto the God of truth, searched the Word of God, and consulted the judgement and practice of the Reformed Churches, especially of our own Church, since the time of Reformation from Popery, and writings of many sound and Orthodox Divines, and having frequently conversed and conferred with the godly Ministry and praying people of this Nation, and try the guile of their spirits anent the National Covenant, and the Solemn League and Covenant, the particulars contained in them, and superstructures that have been built upon them, anent sin and duty, and the power of the Civil Magistrate in matters Spiritual and Ecclesiastical, I find my practise and profession anent these things agreeable unto all these, and therefore cannot reckon my light for humour and delusion, but must hold it fast, until better guides be shown me to follow.

3. My Lord, I shall in the last place humbly beg, that having brought so pregnant and clear defence from the Word of God, so much divine reason and humane Law, and so much of the common practise of Kirk and King, done in my own defence, and being already cast out of my Ministry, thrust out from my dwelling and maintenance, my self and my family put to live upon the charity of others, and having now suffered eight moneths imprisonment, your Lordship would not put more burdenings upon me. I shall conclude, my Lord, with the words of the Prophet *Jeremy* in a like case, *Behold*, saith he, *I am in your hands, do with me what seemeth good unto you*; but know ye for certain, that the Lord hath commanded me to speak all these things, and that if you put me to death, you shall bring innocent blood upon your selves, and upon the inhabitants of this City. My Lord, my conscience I cannot submit, but this old crazy body, and mortal flesh, I do submit, to do with it whatsoever you will, whether by death or imprisonment, or banishment, or any thing else, only I beseech you to ponder well what profit is in my blood, if it be not the extinguishing of me, or of many others, then will not only the Covenant and work of Reformation since the year 1638. My blood, bondage, or banishment, will contribute more for propagation of these things, than my life or liberty could do, though I should live for many years. I wish so my Lord Commissioner Grace, and to all your Lordships a spirit of judgement, and wisdome, and understanding, and of the fear of the Lord, that you may judge righteous judgement, in which he may have glory, and the King honour and his seat, and your selves peace in the day of your accompts.